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COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. Box 1450
ALEXANDRIA, VA 22313-1450
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Paper No.

Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment document filed on 2-24-04 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121, as amended on June 30, 2003 (see 68 Fed. Reg. 38611, Jun. 30, 2003). In order for the amendment document to be compliant, correction of the following item(s) is required. Only the corrected section of the non-compliant amendment document must be resubmitted (in its entirety), e.g., the entire "Amendments to the claims" section of applicant's amendment document must be re-submitted. 37 CFR 1.121(h).

THE FOLLOWING CHECKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
 - ☐ B. New paragraph(s) should not be underlined.
 - ☐ C. Other _____
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
 - ☐ B. Other _____
- ☐ 3. Amendments to the drawings: _____
- ☐ 4. Amendments to the claims:
- ☐ A. A complete listing of all of the claims is not present.
 - ☐ B. The listing of claims does not include the text of all claims (including withdrawn claims)
 - ☐ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified.
 - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
 - ☒ E. Other: Preliminary Amendment is not signed

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP Sec. 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officeflyer.pdf>.

If the non-compliant amendment is a **PRELIMINARY AMENDMENT**, applicant is given **ONE MONTH** from the mail date of this letter to supply the corrected section which complies with 37 CFR 1.121. Failure to comply with 37 CFR 1.121 will result in non-entry of the preliminary amendment and examination on the merits will commence without consideration of the proposed changes in the preliminary amendment(s). This notice is not an action under 35 U.S.C. 132, and this **ONE MONTH** time limit is not extendable.

If the non-compliant amendment is a reply to a **NON-FINAL OFFICE ACTION** (including a submission for an RCE), and since the amendment appears to be a *bona fide* attempt to be a reply (37 CFR 1.135(c)), applicant is given a **TIME PERIOD** of **ONE MONTH** from the mailing of this notice within which to re-submit the corrected section which complies with 37 CFR 1.121 in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).**

If the amendment is a reply to a **FINAL REJECTION**, this form may be an attachment to an Advisory Action. The period for response to a final rejection continues to run from the date set in the final rejection, and is not affected by the non-compliant status of the amendment.

Eva Willis
Legal Instruments Examiner (LIE)

Telephone No. _____



IFW

ocket No.: 65933-071

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	:	Customer Number: 20277
Ryosuke USUI	:	Confirmation Number: 9980
Serial No.: 10/784,268	:	Group Art Unit: 2814
Filed: February 24, 2004	:	Examiner: W. Fahmy
For: SEMICONDUCTOR DEVICE AND METHOD FOR MANUFACTURING SAME	:	

RESPONSE TO NOTICE OF NON-COMPLIANCE

Mail Stop
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notice of Non-Compliant Amendment mailed May 24, 2004, Applicant submits herewith a copy of the Preliminary Amendment actually filed on February 24, 2004 which was, in fact, signed. At any rate, another copy of the Preliminary Amendment is submitted herewith which is signed.


Entry of the amendment and remarks are solicited.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

10/784,268

Respectfully submitted,

MCDERMOTT, WILL & EMERY



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Date: May 27, 2004



Docket No.: 65933-071

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of :
Ryosuke USUI :
Serial No.: : Group Art Unit:
Filed: February 24, 2004 : Examiner:
For: SEMICONDUCTOR DEVICE AND METHOD FOR MANUFACTURING SAME

PRELIMINARY AMENDMENT

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Prior to examination of the above-referenced application, please amend the application as follows:

IN THE BRIEF DESCRIPTION OF THE DRAWINGS:

On page 8, lines 14 and 15 please amend as shown on page 2 of this preliminary amendment.

AMENDMENT TO THE BRIEF DESCRIPTION OF THE DRAWINGS

Page 8, lines 14 and 15:

~~Fig. 8 is a~~ **Figs. 8A-8C are** schematic diagrams showing ~~other~~ **another**
embodiment of ~~the~~ **a** semiconductor device according to the present invention.